

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Number : RE39,562 E
Issued : April 10, 2007
Name of Patentee : Pioneer Hi-Bred International, Inc.
Title of Invention : High Lysine Derivatives of α -Hordothionin

Attention Certificate of Corrections Branch
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**REQUEST FOR CERTIFICATE OF CORRECTION OF PATENT
FOR PTO MISTAKE (37 CFR 1.322(a))**

1. Attached is Form PTO/SB/44 suitable for printing.
2. The exact page and line number where the errors are shown correctly in the application file are:

Claim 18 was presented correctly in the Listing of Claims on page 5 of the Amendment filed September 14, 2004. This claim was amended to incorporate the Examiner's suggestions made in the Office Action mailed March 16, 2004.

In the issued patent, column 10, line 44, "selected from *Fusarium graminearum*, *Fusarium*" should be replaced with "selected from **the group consisting of:** *Fusarium graminearum*, *Fusarium*".

3. Please send the Certificate to:

Name Kathryn K. Lappegard
Address: Pioneer Hi-Bred International, Inc.
Corporate Intellectual Property
7250 N.W. 62nd Avenue
P.O. Box 552
Johnston, Iowa 50131-0552

Patent No. RE39,562 E
Attorney Docket No. 0233C3I

The Commissioner is hereby authorized to charge the payment of any fees under 37 C.F.R. §1.20(a) concerning this transaction, if they should be deemed applicant's mistake, or to credit any overpayment, to Deposit Account No. 16-1852.

Respectfully submitted,

/Kathryn K. Lappegard/
Kathryn K. Lappegard, Reg. #46,857

PIONEER HI-BRED INTERNATIONAL, INC.
Corporate Intellectual Property
7250 N.W. 62nd Avenue
P.O. Box 552
Johnston, Iowa 50131-0552
Phone: (515) 253-5707
Facsimile: (515) 334-6883

UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

PATENT NO. : RE39,562 E

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APPLICATION NO. : 10/010,709

ISSUE DATE : April 10, 2007

INVENTOR(S) : Rao et al.

It is certified that error appears in the above-identified patent and that said Letters Patent are hereby corrected as shown below:

Column 10

Lines 43-52 should read as follows:

—18. A method for killing and inhibiting plant pathogens selected from *the group consisting of: Fusarium graminearum, Fusarium moniliforme, Diplodia maydis, Colletotrichum graminicola, Verticillium alboatrum, Phytophthora megaspermae f.sp. glycinea, Macrophomina phaseolina, Diaporthe phaseolorum caullvora, Sclerotinia sclerotiorum, Sclerotinia trifoliorum, and Aspergillus flavus, [comprising] wherein the method comprises* introducing into the environment of the pathogenic microorganisms an antimicrobial amount of [a] *the protein* according to claim 1

MAILING ADDRESS OF SENDER (Please do not use customer number below):

Pioneer Hi-Bred International, Inc.
7250 N.W. 62nd Ave
P.O. Box 552
Johnston, IA 50131-0552

This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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